

REMARKS

This Response is submitted in reply to the Office Action dated October 26, 2005, and in accordance with the January 30, 2006 interview. Claims 1-51 are pending. Claim 36 has been amended solely for the purpose of correcting a grammatical error, and Claims 44-50 have been re-numbered. Enclosed is a Petition for a one-month extension of time to respond to the Office Action and a Supplemental Information Disclosure Statement together with a check to cover the cost of the one-month extension of time and Supplemental Information Disclosure Statement. Please debit Deposit Account No. 02-1818 for any insufficiency of payment, or credit for any overpayment in connection with this Response.

1. Claim Objections

The Office Action objected to the Claims, noting that Claims 44-50 are mis-numbered. Applicants have re-numbered such Claims in accordance with the Office Action. Accordingly, Applicants respectfully submit that such amendment overcomes such objection.

2. Claim Rejections – 35 U.S.C. §112

The Office Action rejected Claim 36 as being indefinite. Applicants have amended such Claim, and Applicants respectfully submit that such amendment overcomes such rejection.

3. Claim Rejections – 35 U.S.C. §102

The Office Action rejected Claims 1-16, 19, 21-29, 33, 34, 39-46 and 49-51 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0151349 A1 to Joshi ("Joshi I"). As discussed during the interview, Applicants respectfully disagree with, and traverse, such rejection. In accordance with the Claim renumbering described above, the Claims of the application include:

- (a) independent Claim 1 (and Claims 2-36 which depend therefrom);
- (b) independent Claim 37 (and Claims 38-46 which depend therefrom);

- (c) independent Claim 47; and
- (d) independent Claim 48 (and Claims 49-51 which depend therefrom).

The Office Action stated that Joshi I anticipates Claim 1 (and Claims 2-16, 21-29, 33 and 34 which depend therefrom), and the Office Action commented on the elements of these Claims with respect to Joshi I.

The Office Action also stated that Joshi I anticipates dependent Claims 39-46. These Claims depend from independent Claim 37. The Office Action did not reject Claim 37 under 35 U.S.C. §102(e), nor did the Office Action comment on the elements of Claim 37 or Claims 39-46 in the rejection under 35 U.S.C. §102(e). Similarly, the Office Action stated that Joshi I anticipates dependent Claims 49-51. These Claims depend from independent Claim 48. The Office Action did not reject Claim 48 under 35 U.S.C. §102(e), nor did the Office Action comment on the elements of Claim 48 or Claims 49-51 in the rejection under 35 U.S.C. §102(e). If such rejection of dependent Claims 39-46 and 49-51 were made in error, Applicants respectfully request the withdrawal of such rejection. Otherwise, Applicants respectfully request a full and clear statement as to the grounds for the rejection of such dependent Claims in accordance with Section 707.07(d) of the MPEP (Eighth Edition).

With respect to the rejection of Claim 1 (and Claims 2-9 which depend therefrom), Applicants respectfully submit that Joshi I does not qualify as prior art under 35 U.S.C. §102(e). For Joshi I to qualify as prior art under 35 U.S.C. §102(e), Joshi I must have been filed before the invention of the subject matter defined by the rejected Claims in this U.S. Patent Application Serial No. 10/659,093 ("Subject Application"). Joshi I's earliest priority date is October 4, 2000. The Subject Application claims priority to, and is a continuation-in-part of, U.S. Patent Application Serial No. 09/602,331, now U.S. Patent No. 6,731,313 ("Parent"). The Parent was filed on June 23, 2000, and the Parent discloses the subject matter defined by Claims 1-9.

Support for this Claimed subject matter of the present invention can be found in the Parent Application as set forth in at least the cited sections in the following chart:

<u>Claim 1</u>	<u>Support in Parent</u>
A gaming device	"Referring now to the drawings, FIG. 1 generally illustrates a gaming device 10 of one embodiment of the present invention. . ." (Parent, Column 4, Lines 46-48).
a display device	"With respect to electronics, the controller of gaming device 10 preferably includes . . . a video monitor 32 or other display device. . ." (Parent, Column 5, Lines 37-41).
a primary game operable upon a wager by a player	"Gaming device 10 can incorporate any game such as slot, poker or keno." (Parent, Column 4, Lines 60-61).
a plurality of different game display interfaces operable to be displayed by the display device to represent said primary game to the player	"A separate video display or screen on the video monitor can enhance or increase enjoyment through a suitable demonstration that corresponds to a symbol change." (Parent, Column 3, Lines 55-58). "The invention also contemplates providing a visual display either before, after or contemporaneous with a symbol change. The video display 32 or some other suitable display can produce the visual display, which preferably corresponds with the theme of the gaming device. For example, the present invention can have a separate display of a fictitious blood pressure indicator that fluctuates depending upon whether the player selects "MSG" or "NO MSG." (Parent, Column 7, Lines 41-48).
wherein each interface includes a plurality of different symbols	Fig. 4 of Parent illustrates one interface with a plurality of different symbols, and Fig. 5 of Parent

	illustrates another interface with a plurality of different symbols.
wherein the symbols in each interface perform an identical function in the primary game with respect to corresponding symbols in the other interfaces	<p>"The gaming device contemplates the act of pressing a single changeable symbol or pushbutton having a plurality of effects. One effect that the act of pressing a symbol or button has is to change the selected symbol and nothing more. In this embodiment, each changeable symbol is individually selectable. In other embodiments, one or more changeable symbols are linked. For example, in one embodiment, changing a symbol changes all like symbols on the same reel. In another embodiment, changing a symbol changes all like symbols on the same payline. In a further embodiment, changing a symbol changes all like symbols displayed on the video monitor. In a still further embodiment, changing a symbol changes all like symbols on every one of the stops of the gaming device." (Parent, Column 3, Lines 22-36).</p> <p>"Referring back to FIG. 4, the invention contemplates a symbol change affecting the symbol 54 selected, all like symbols in a reel 30, all like symbols in a payline 52, all like symbols in the video monitor 32, or all like symbols maintained by the gaming device. For example, in one embodiment, when the player selects the "MSG" symbol 54b on reel 30e, intending to change it to the "NO MSG" symbol 154b, the gaming device only changes that symbol. That is, the other "MSG" symbols 54b displayed on reel 30b are not effected</p>

	<p>and remain unchanged." (Parent, Column 8, Lines 22-31).</p> <p>" . . . at least one changeable symbol on one of said reels wherein said changeable symbol is player selectable and changeable between at least two different symbols at the same position on the reel, and wherein said different symbols have the same function on the reels and in the game for determining any winning combination of symbols. . ." (Parent, Column 11, Lines 1-7).</p>
wherein a plurality of the corresponding symbols in the interfaces are visually different from one another	Fig. 4 of Parent illustrates an interface with MSG symbols 54b, and Fig. 5 of Parent illustrates an interface with NO MSG symbols 154b. The MSG symbols 54b are different from the NO MSG symbols 154b.
an event that causes the display device to switch from displaying one of the interfaces for said primary game to another one of the interfaces for said primary game	"Preferably, when the game displays the "MSG" symbol 54b, and the player desires the "NO MSG" symbol, the game enables the player to touch the area of the display 32 that contains the symbol 54b. The gaming device switches the symbol and provides the associated or accompanying audio and video displays. Likewise, if the player desires to have MSG, the player selects the displayed "NO-MSG" symbol 154b, and the gaming device switches the symbol to the "MSG" symbol." (Parent, Column 1, Line 64 – Column 8, Line 6).
<u>Claim 2</u>	<u>Support in Parent</u>
wherein the event is the player's selection of an input device that enables the player	"Preferably, when the game displays the "MSG" symbol 54b, and the player desires the "NO MSG" symbol, the game enables the player to touch the

to select to switch from one of the interfaces to another one of the interfaces	area of the display 32 that contains the symbol 54b. The gaming device switches the symbol and provides the associated or accompanying audio and video displays. Likewise, if the player desires to have MSG, the player selects the displayed "NO-MSG" symbol 154b, and the gaming device switches the symbol to the "MSG" symbol." (Parent, Column 1, Line 64 – Column 8, Line 6).
<u>Claim 3</u>	<u>Support in Parent</u>
wherein the primary game is a slot game including a plurality of reels, wherein said symbols are displayed on the reels	"Gaming device 10 can incorporate any game such as slot, poker or keno." (Parent, Column 4, Lines 60-61). "Gaming device 10 also has a display window 28 which contains a plurality of reels 30, preferably three to five reels in mechanical or video form. Each reel 30 displays a plurality of symbols such as bells, hearts, martinis, fruits, cactuses, numbers, cigars, letters, bars or other images which preferably correspond to a theme associated with the gaming device 10." (Parent, Column 5, Lines 18-24).
<u>Claim 4</u>	<u>Support in Parent</u>
wherein at least two of the interfaces include at least one visually identical symbol	Fig. 4 of Parent illustrates an interface having image 52b, and Fig. 5 of Parent illustrates a different interface having an identical image 52b.

<u>Claim 5</u>	<u>Support in Parent</u>
wherein each symbol in one of the interfaces has a corresponding symbol in another one of the interfaces	Fig. 4 of Parent illustrates an interface with three MSG symbols 54b and two DOUBLE symbols 54c. Fig. 5 of Parent illustrates another interface with three NO MSG symbols 154b and two DOUBLE symbols 54c. As indicated below, the three NO MSG symbols 154b correspond to the three MSG symbols 54b, and the DOUBLE symbols 54c of Fig. 4 correspond to the DOUBLE symbols 54c of Fig. 5.

Fig. 4 of Parent

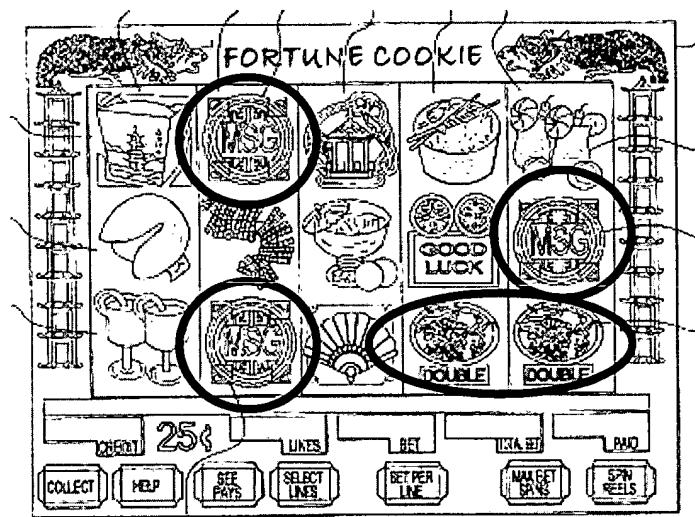
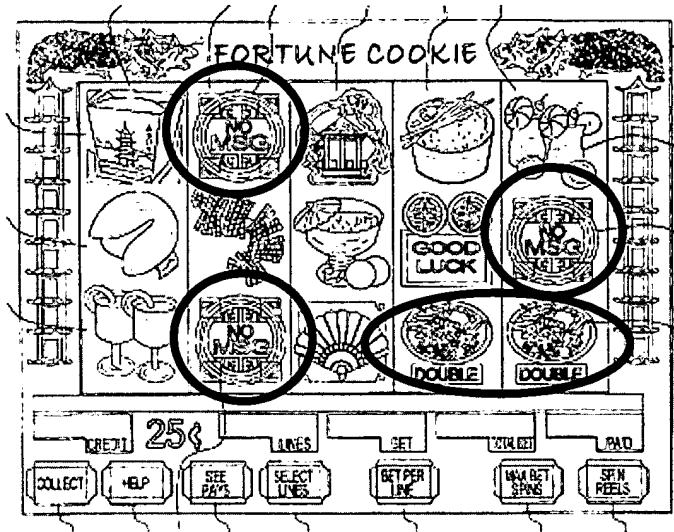


Fig. 5 of Parent



<u>Claim 6</u>	<u>Support in Parent</u>
wherein the corresponding symbols are provided in a same frequency in said two interfaces	As indicated above, Fig. 4 of Parent discloses three MSG symbols 54b, and Fig. 5 of Parent discloses three NO MSG symbols 154b. Likewise, Fig. 4 of Parent discloses two DOUBLE symbols 54c, and Fig. 5 of Parent discloses two DOUBLE symbols 54c.
<u>Claim 7</u>	<u>Support in Parent</u>
wherein each symbol in one of the interfaces has a corresponding symbol in each of the other interfaces	As indicated above, each of the symbols disclosed in Fig. 4 of Parent has a corresponding symbol in Fig. 5 of Parent.
<u>Claim 8</u>	<u>Support in Parent</u>
wherein corresponding symbols are provided in a same frequency in each of the interfaces	As illustrated above, Fig. 4 of Parent discloses three MSG symbols 54b, and see Fig. 5 of Parent discloses three NO MSG symbols 154b. Likewise, Fig. 4 of Parent discloses two DOUBLE symbols 54c, and Fig. 5 of Parent discloses two DOUBLE symbols 54c.

<u>Claim 9</u>	<u>Support in Parent</u>
wherein a plurality of symbols of one of the interfaces correspond to symbols in another one of the interfaces, and wherein the corresponding symbols have different but related indicia	Fig. 4 of Parent illustrates one interface with MSG symbols 54b, and Fig. 5 of Parent illustrates another interface with NO MSG symbols 154b. As illustrated by these figures, each MSG symbol 54b has four square corner images or indicia which are identical to the four square corner images or indicia of each NO MSG symbol 154b. Also, each NO MSG symbol 154b has the "NO" indicia which is different from the "MSG" indicia of the MSG symbol 54b.

With respect to the rejection of Claims 10-16, 21-29, 33 and 34, each of which depends from Claim 1, Applicants respectfully submit that Joshi I does not disclose the subject matter defined by such Claims. Joshi I discloses a gaming machine having a slot machine game with a WHO DUNNIT™ mystery theme. In the example disclosed, the slot machine game has a standard motif, and here, none of the slot symbols are Christmas symbols. When a predetermined calendar day occurs, the slot machine changes the standard motif to a Christmas motif wherein various slot symbols are Christmas symbols.

Claim 1 defines a gaming device having, among other elements, a plurality of different game display interfaces, wherein the symbols in each interface perform an identical function in the primary game with respect to corresponding symbols in the other interfaces, and wherein a plurality of the corresponding symbols in the interfaces are visually different from one another.

Joshi I's slot symbols shown in Fig. 1 of Joshi I are not disclosed as: (a) identical in function with respect to corresponding symbols shown in Fig. 12 of Joshi I; and (b) visually different from one another. The only symbols of Joshi I which correspond to each other are the three symbols circled below, and these three symbols are identical in

both interfaces. The following annotated Figures 1 and 12 of Joshi I indicate that these three symbols are not visually different from one another:

Fig. 1 of Joshi I

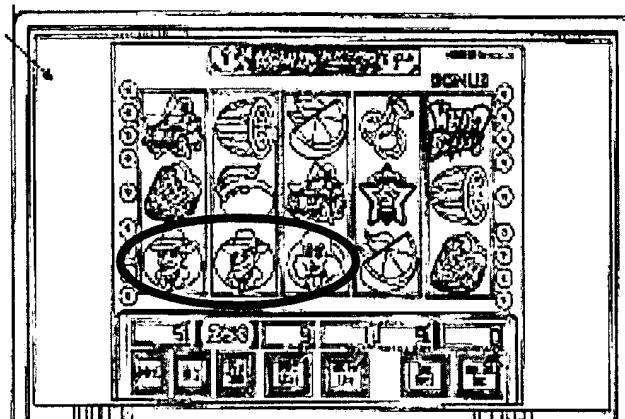
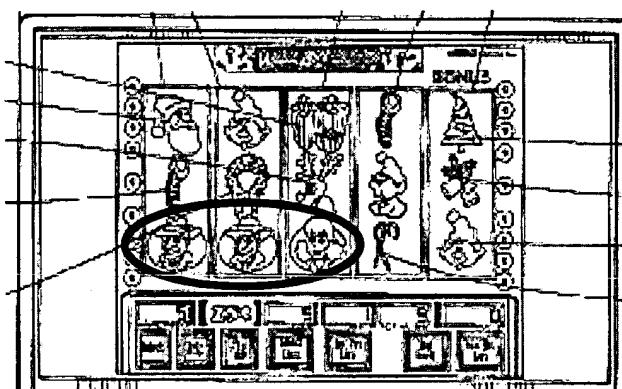


Fig. 12 of Joshi I



The Interview Summary of the January 30, 2006 interview states that Applicants argued that Joshi I did not teach all of the elements of Claim 10. However, for the reasons provided above, Applicants submit that Claim 10, as well as Claims 11-16, 21-29, 33 and 34, are not anticipated by Joshi I, and Applicants respectfully request the withdrawal of the rejection of such Claims.

4. Claim Rejections – 35 U.S.C. §103

The Office Action rejected Claims 17, 18, 20, 30-32, 47 and 48 under 35 U.S.C. §103(a) as being unpatentable over Joshi I in view of U.S. Patent Application Publication No. US 2003/0027619 A1 to Nicastro ("Nicastro"). Applicants respectfully disagree with and traverse such rejection.

Claims 17, 18, 20 and 30-32 depend from independent Claim 1. Claim 1 defines a gaming device having, among other elements, a plurality of different game display interfaces, wherein the symbols in each interface perform an identical function in the primary game with respect to corresponding symbols in the other interfaces, and wherein a plurality of the corresponding symbols in the interfaces are visually different from one another. Joshi I does not disclose, teach or suggest such elements, as described above.

Furthermore, Nicastro does not disclose, teach or suggest such elements. Nicastro discloses a gaming machine with a basic game and a bonus game. Nicastro discloses several different embodiments of the bonus game, including a take it or leave it bonus game 100 and a skill-based bonus game 300. Nicastro does not disclose, teach or suggest the elements of Claim 1 set forth above. Likewise, the combination of Joshi I and Nicastro does not disclose, teach or suggest such elements. Accordingly, Applicants respectfully request the withdrawal of such rejection of Claims 17, 18, 20 and 30-32.

With respect to independent Claims 47, Applicants submit that Joshi I and Nicastro do not qualify as prior art and, accordingly, are not a proper basis for the Office Action's rejection. For Joshi I to be used in a rejection under 35 U.S.C. §103(a), Joshi I must first qualify as prior art under 35 U.S.C. §102, though Joshi I need not identically disclose or describe the Claimed subject matter. For Joshi I to qualify as prior art under 35 U.S.C. §102, Joshi I must have been filed before the invention of the subject matter defined by the rejected Claims in the Subject Application. Joshi I's earliest priority date is October 4, 2000. For Nicastro to be used in a rejection under 35 U.S.C. §103(a), Nicastro must first qualify as prior art under 35 U.S.C. §102, though Nicastro need not identically disclose or describe the Claimed subject matter. Nicastro's earliest priority date is July 25, 2001.

The Subject Application claims priority to, and is a continuation-in-part of the Parent. The Parent was filed on June 23, 2000, and the Parent discloses the subject matter defined by Claim 47. Support for this Claimed subject matter can be found in the following sections (among others) of the Parent:

<u>Claim 47</u>	<u>Support in Parent</u>
A gaming device	"Referring now to the drawings, FIG. 1 generally illustrates a gaming device 10 of one embodiment of the present invention. . ." (Parent, Column 4, Lines 46-48).
a display device	"With respect to electronics, the controller of gaming device 10 preferably includes . . . a video monitor 32 or other display device. . ." (Parent, Column 5, Lines 37-41).
a primary game operable upon a wager by a player	"Gaming device 10 can incorporate any game such as slot, poker or keno." (Parent, Column 4, Lines 60-61).
a plurality of visually different interfaces which are each adapted to be displayed by the display device to represent the primary game to the player	"A separate video display or screen on the video monitor can enhance or increase enjoyment through a suitable demonstration that corresponds to a symbol change." (Parent, Column 3, Lines 55-58). "The invention also contemplates providing a visual display either before, after or contemporaneous with a symbol change. The video display 32 or some other suitable display can produce the visual display, which preferably corresponds with the theme of the gaming device. For example, the present invention can have a separate display of a fictitious blood pressure indicator that fluctuates depending upon whether the player selects "MSG" or "NO MSG." (Parent, Column 7, Lines 41-48).
wherein each interface includes a plurality of different symbols	Fig. 4 of Parent illustrates one interface with a plurality of different symbols, and Fig. 5 of Parent illustrates another interface with a plurality of different

	<p>symbols.</p>
wherein the symbols in each interface perform an identical function in the primary game in accordance with a paytable of the primary game	<p>"The gaming device contemplates the act of pressing a single changeable symbol or pushbutton having a plurality of effects. One effect that the act of pressing a symbol or button has is to change the selected symbol and nothing more. In this embodiment, each changeable symbol is individually selectable. In other embodiments, one or more changeable symbols are linked. For example, in one embodiment, changing a symbol changes all like symbols on the same reel. In another embodiment, changing a symbol changes all like symbols on the same payline. In a further embodiment, changing a symbol changes all like symbols displayed on the video monitor. In a still further embodiment, changing a symbol changes all like symbols on every one of the stops of the gaming device." (Parent, Column 3, Lines 22-36).</p> <p>"Referring back to FIG. 4, the invention contemplates a symbol change affecting the symbol 54 selected, all like symbols in a reel 30, all like symbols in a payline 52, all like symbols in the video monitor 32, or all like symbols maintained by the gaming device. For example, in one embodiment, when the player selects the "MSG" symbol 54b on reel 30e, intending to change it to the "NO MSG" symbol 154b, the gaming device only changes that symbol. That is, the other "MSG" symbols 54b displayed on reel 30b are not effected and remain unchanged." (Parent, Column 8, Lines 22-31).</p> <p>". . . at least one changeable symbol on one of said</p>

	<p>reels wherein said changeable symbol is player selectable and changeable between at least two different symbols at the same position on the reel, and wherein said different symbols have the same function on the reels and in the game for determining any winning combination of symbols. . ." (Parent, Column 11, Lines 1-7).</p> <p>"The memory device 40 can also include read only memory (ROM) 44 for storing program code which controls the gaming device 10 so that it plays a particular game in accordance with applicable game rules and pay tables." (Parent, Column 5, Lines 49-53).</p>
wherein a plurality of the different symbols in each one of the interfaces look visually different than the plurality of the different symbols in each of the other interfaces that perform the same function	<p>" . . . at least one changeable symbol on one of said reels wherein said changeable symbol is player selectable and changeable between at least two different symbols at the same position on the reel, and wherein said different symbols have the same function on the reels and in the game for determining any winning combination of symbols. . ." (Parent, Column 11, Lines 1-7).</p> <p>Fig. 4 of Parent illustrates an interface with MSG symbols 54b, and Fig. 5 of Parent illustrates an interface with NO MSG symbols 154b. The MSG symbols 54b are different from the NO MSG symbols 154b.</p>
an input device which enables the player to cause the display device to switch from displaying one of the interfaces for said	"Preferably, when the game displays the "MSG" symbol 54b, and the player desires the "NO MSG" symbol, the game enables the player to touch the area of the display 32 that contains the symbol 54b.

primary game to another one of the interfaces for said primary game	The gaming device switches the symbol and provides the associated or accompanying audio and video displays. Likewise, if the player desires to have MSG, the player selects the displayed "NO-MSG" symbol 154b, and the gaming device switches the symbol to the "MSG" symbol." (Parent, Column 1, Line 64 – Column 8, Line 6).
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With respect to independent Claim 48, Applicants submit that Joshi I and Nicastro do not qualify as prior art and, accordingly, are not a proper basis for the Office Action's rejection. For Joshi I to be used in a rejection under 35 U.S.C. §103(a), Joshi I must first qualify as prior art under 35 U.S.C. §102, though Joshi I need not identically disclose or describe the Claimed subject matter. For Joshi I to qualify as prior art under 35 U.S.C. §102, Joshi I must have been filed before the invention of the subject matter defined by the rejected Claims in the Subject Application. Joshi I's earliest priority date is October 4, 2000. For Nicastro to be used in a rejection under 35 U.S.C. §103(a), Nicastro must first qualify as prior art under 35 U.S.C. §102, though Nicastro need not identically disclose or describe the Claimed subject matter. Nicastro's earliest priority date is July 25, 2001.

The Subject Application claims priority to, and is a continuation-in-part of the Parent. The Parent was filed on June 22, 2000, and the Parent discloses the Claimed subject matter. Support for the subject matter defined by Claim 48 can be found in the following sections (among others) of the Parent:

<u>Claim 48</u>	<u>Support in Parent</u>
A gaming device	"Referring now to the drawings, FIG. 1 generally illustrates a gaming device 10 of one embodiment of the present invention. . ." (Parent, Column 4, Lines 46-48).

a display device	"With respect to electronics, the controller of gaming device 10 preferably includes . . . a video monitor 32 or other display device. . ." (Parent, Column 5, Lines 37-41).
a primary game operable upon a wager by a player	"Gaming device 10 can incorporate any game such as slot, poker or keno." (Parent, Column 4, Lines 60-61).
a plurality of different game display interfaces operable to be displayed by the display device to represent the primary game to the player	"A separate video display or screen on the video monitor can enhance or increase enjoyment through a suitable demonstration that corresponds to a symbol change." (Parent, Column 3, Lines 55-58). "The invention also contemplates providing a visual display either before, after or contemporaneous with a symbol change. The video display 32 or some other suitable display can produce the visual display, which preferably corresponds with the theme of the gaming device. For example, the present invention can have a separate display of a fictitious blood pressure indicator that fluctuates depending upon whether the player selects "MSG" or "NO MSG." (Parent, Column 7, Lines 41-48).
wherein each interface includes a plurality of different symbols	Fig. 4 of Parent illustrates one interface with a plurality of different symbols, and Fig. 5 of Parent illustrates another interface with a plurality of different symbols.
wherein the symbols in each interface perform an identical function in the primary game with respect to corresponding	"The gaming device contemplates the act of pressing a single changeable symbol or pushbutton having a plurality of effects. One effect that the act of pressing a symbol or button has is to change the

symbols in the other interfaces	<p>selected symbol and nothing more. In this embodiment, each changeable symbol is individually selectable. In other embodiments, one or more changeable symbols are linked. For example, in one embodiment, changing a symbol changes all like symbols on the same reel. In another embodiment, changing a symbol changes all like symbols on the same payline. In a further embodiment, changing a symbol changes all like symbols displayed on the video monitor. In a still further embodiment, changing a symbol changes all like symbols on every one of the stops of the gaming device." (Parent, Column 3, Lines 22-36).</p> <p>"Referring back to FIG. 4, the invention contemplates a symbol change affecting the symbol 54 selected, all like symbols in a reel 30, all like symbols in a payline 52, all like symbols in the video monitor 32, or all like symbols maintained by the gaming device. For example, in one embodiment, when the player selects the "MSG" symbol 54b on reel 30e, intending to change it to the "NO MSG" symbol 154b, the gaming device only changes that symbol. That is, the other "MSG" symbols 54b displayed on reel 30b are not effected and remain unchanged." (Parent, Column 8, Lines 22-31).</p> <p>"... at least one changeable symbol on one of said reels wherein said changeable symbol is player selectable and changeable between at least two different symbols at the same position on the reel,</p>
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	and wherein said different symbols have the same function on the reels and in the game for determining any winning combination of symbols. . ." (Parent, Column 11, Lines 1-7).
wherein each symbol in each of the interfaces has a corresponding symbol in each of the other interfaces	Fig. 4 of Parent illustrates an interface with three MSG symbols 54b, and Fig. 5 of Parent illustrates another interface with three corresponding NO MSG symbols 154b.
wherein the corresponding symbols are provided in a same frequency in each of said interfaces	As illustrated above, Fig. 4 of Parent discloses three MSG symbols 54b, and see Fig. 5 of Parent discloses three NO MSG symbols 154b. Likewise, Fig. 4 of Parent discloses two DOUBLE symbols 54c, and Fig. 5 of Parent discloses two DOUBLE symbols 54c.
wherein a plurality of the corresponding symbols in the interfaces are visually different from one another	Fig. 4 of Parent illustrates an interface with MSG symbols 54b, and Fig. 5 of Parent illustrates an interface with NO MSG symbols 154b. The MSG symbols 54b are different from the NO MSG symbols 154b.
an event that causes the display device to switch from displaying one of the interfaces for said primary game to another one of the interfaces for said primary game	"Preferably, when the game displays the "MSG" symbol 54b, and the player desires the "NO MSG" symbol, the game enables the player to touch the area of the display 32 that contains the symbol 54b. The gaming device switches the symbol and provides the associated or accompanying audio and video displays. Likewise, if the player desires to have MSG, the player selects the displayed "NO-MSG" symbol 154b, and the gaming device switches the symbol to the "MSG" symbol." (Parent, Column 1, Line 64 – Column 8, Line 6).

The Office Action rejected Claim 35 under 35 U.S.C. §103(a) as being unpatentable over Joshi I and Nicastro in view of U.S. Patent Application Publication No. 2002/0090990 A1 to Joshi et al ("Joshi II"). Claim 35 depends from independent Claim 1. For the reasons provided above with respect to Claims 47 and 48, Applicants submit that Joshi I and Nicastro are not proper grounds for such rejection of Claim 35. Applicants also submit that Joshi II is not a proper ground for such rejection. Joshi II's earliest possibly priority date for the disclosure relied upon is October 4, 2000. The Subject Application claims priority to, and is a continuation-in-part of, the Parent. The Parent was filed on June 22, 2000, and the Parent discloses the subject matter defined by Claim 35. Claim 35, which depends from Claim 1, includes, among other elements, a plurality of different audios associated with at least two of the interfaces. The Parent's support for the subject matter defined by Claim 1 is set forth above. The Parent's support for such audio element can be found in the following sections of the Parent, among other sections:

In accordance with the theme of the gaming device, the present invention preferably provides an audio display that accompanies the player's decision to change one of the symbols 54. For example, in the preferred embodiment, the gaming device emits a voice having the characteristics of an oriental man from the speakers 34 when the player changes the "MSG" symbol 54b or the "NO MSG" symbol 154b. When the player changes the "MSG" symbol, the speakers emit the voice of an oriental man saying the letters, "M-S-G." Likewise, when the player changes the "NO-MSG" symbol 154b, the speakers emit the voice saying, "NO-MSG." This provides the player with an entertaining aside from playing the game. (Parent, Column 7, Lines 20-32).

For these reasons, Applicants respectfully request the withdrawal of such rejection of Claim 35.

The Office Action rejected Claim 36 under 35 U.S.C. §103(a) as being unpatentable over Joshi I, Nicastro and Joshi II in view of U.S. Patent No. 5,970,143 to Schneier, et al ("Schneier"). Applicants respectfully disagree with, and traverse, such rejection. Claim 36 depends from Claim 1. Claim 1 defines a gaming device having, among other elements, a plurality of different game display interfaces, wherein the symbols in each interface perform an identical function in the primary game with respect

to corresponding symbols in the other interfaces, and wherein a plurality of the corresponding symbols in the interfaces are visually different from one another. Joshi I does not disclose, teach or suggest such elements, as described above with respect to Claims 17, 18, 20 and 30-32. Nicastro does not disclose, teach or suggest such elements, as described above with respect to Claims 17, 18, 20 and 30-32.

Joshi II discloses a gaming machine which monitors the number of wager inputs made by the player. Depending upon the number of wager inputs made, the gaming machine alters the play content of the gaming machine to correspond to the favorite content of the player. Joshi II does not disclose, teach or suggest the elements of Claim 1 set forth above. Schneier discloses a computerized authentication system to authenticate results of computer-based games and tests. Schneier does not disclose, teach or suggest the elements of Claim 1 set forth above. Accordingly, the combination of Joshi I, Nicastro, Joshi II and Schneier does not disclose, teach or suggest the subject matter defined by Claim 36. Applicants respectfully request the withdrawal of such rejection.

The Office Action rejected Claims 37 and 38 under 35 U.S.C. §103(a) as being unpatentable over Joshi I, Nicastro, Schneier and Joshi II in view of U.S. Patent Application Publication No. 2003/0064771 to Morrow et al ("Morrow"). Applicants respectfully disagree with, and traverse, such rejection. Claim 38 depends from independent Claim 37.

First, Applicants submit that the combination of these five references constitutes improper hindsight and is therefore improper. Second, and apart from this argument, Applicants submit that such combination does not disclose, teach or suggest the subject matter defined by Claims 37 and 38. Claim 37 (and Claim 38 which depends therefrom) define a gaming device having, among other elements: (a) a plurality of different game display interfaces operable to be displayed by the display device to represent a primary game to the player; and (b) a menu operable to be displayed to the player that displays the symbols of the interfaces to the player, wherein: (i) each interface includes a plurality of different symbols; (ii) the symbols in each interface perform an identical function in the primary game with respect to corresponding symbols in the other

interfaces; and (iii) a plurality of the corresponding symbols in the interfaces are visually different from one another.

Joshi I, described above, does not disclose, teach or suggest such elements. Nicastro, described above, does not disclose, teach or suggest such elements. Schneier, described above, does not disclose, teach or suggest such elements. Joshi II, described above, does not disclose, teach or suggest such elements.

Morrow discloses a reconfigurable gaming machine. Morrow's gaming machine has a plurality of different games with different functions. Morrow's gaming machine enables the player to change games and game functions by selecting a game title from a multi-game menu. Morrow does not disclose, teach or suggest such elements of Claims 37 and 38. Likewise, the combination of Joshi I, Nicastro, Schneier, Joshi II and Morrow does not disclose, teach or suggest such elements. Accordingly, Applicants respectfully request the withdrawal of the rejection of Claims 37 and 38.

For all of the reasons provided above, Applicants respectfully submit that the subject matter defined by the Claims is patentable and in condition for allowance. An earnest endeavor has been made to place this application in condition for allowance, and such allowance is courteously solicited. If the Examiner has any questions related to this Response, Applicants respectfully request that the Examiner contact the undersigned.

Respectfully submitted,

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